

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

GLORIA PUMPHREY and ANGALYN JONES, for themselves and on behalf of all similarly situated individuals,

Plaintiffs,

v.

EXPERIAN INFORMATION SOLUTIONS, INC.,

Defendant.

Civil Action No.: 3:11-CV-574

JOINT DISCOVERY SCHEDULING ORDER

Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26, counsel for Plaintiffs Gloria Pumphrey and Angalyn Jones and Defendant Experian Information Solutions, Inc. have conferred to develop a joint discovery schedule and hereby submit the following agreed scheduling order.

The parties shall exchange initial disclosures as required by Federal Rule of Civil Procedure 26(a)(1) by **January 6, 2011**.

The parties will conduct discovery in two phases. Phase I of discovery shall include all discovery, including depositions, regarding the individual claims of Plaintiffs Pumphrey and Jones. Phase I shall include discovery regarding whether any alleged violation of the Fair Credit Reporting Act, 15 U.S.C. §1681, *et seq.*, was “willful” under the terms of the Act. Phase I shall also include all dispositive motions regarding the individual claims of Plaintiffs Pumphrey and Jones.

Following this Court's rulings on the dispositive motions from Phase I, the parties will enter Phase II of discovery. Phase II of discovery shall include issues regarding class certification as well as any other remaining issues required to prepare for a trial of these matters.

The limits set forth in the Federal Rules shall govern Phase I discovery except that each party shall be limited to a total of three non-party depositions in Phase I per case. Unless otherwise stipulated or ordered by the Court, each deposition, including expert depositions, shall be limited to 1 day of 7 hours.

The parties shall serve initial expert witness disclosures, pursuant to Fed. R. Civ. P. 26(a)(2)(B), by **April 2, 2012**. The parties shall serve rebuttal expert disclosures by **April 23, 2012**. The parties shall complete all Phase 1 expert depositions by **May 14, 2012**.

All Phase I fact discovery shall be completed by **May 14, 2012**.

All Phase I dispositive motions shall be completed by **June 8, 2012**. Opposition briefs shall be filed by **June 29, 2012**. Reply briefs shall be filed by **July 13, 2012**. In the event that a motion is filed on an earlier date, opposition briefs shall be filed within twenty-one calendar days of filing of the motion, reply briefs shall be filed within fourteen days of filing of opposition briefs.

This Court will subsequently conduct hearings on the dispositive motions, if necessary. If Plaintiffs' claims survive this Court's decisions on the dispositive motions, the parties will hold a subsequent discovery conference for Phase II no later than fourteen days after the Court's rulings are issued. Promptly thereafter, the parties will submit to the Court their proposed discovery plan for Phase II.

The parties have discussed all other items required by Rule 26(f).

The following shall summarize the deadlines in these cases:

<u>Activity</u>	<u>Deadline</u>
Deadline to exchange Fed. R. Civ. P. 26(a)(1) initial disclosures	January 6, 2012
Deadline to serve initial Fed. R. Civ. P. 26(a)(2)(B) expert disclosures as to Phase I issues	April 2, 2012
Deadline to serve rebuttal expert disclosures	April 23, 2012
Deadline for completing Phase I expert depositions	May 14, 2012
Close of Phase I fact discovery (including depositions and production of written discovery)	May 14, 2012
Deadline to file Phase I dispositive motions	June 8, 2012
Deadline to file responses to Phase I dispositive motions	June 29, 2012
Deadline to file replies to Phase I dispositive motions	July 13, 2012
Hearing on dispositive motions	_____, 2012

Entered this ____ day of December, 2011

Hon. John A. Gibney, Jr.
United States District Judge

COUNSEL FOR PLAINTIFFS:

Dale Pittman
Virginia State Bar No. 15673
The Law Office of Dale W. Pittman, P.C.
112-A W Tabb St.
Petersburg, VA 23803-3212
Telephone: (804) 861-6000
Facsimile: (804) 861-3368
Email: dale@pittmanlawoffice.com

Leonard A Bennett
Virginia State Bar No. 37523
Consumer Litigation Associates, P.C.
12515 Warwick Boulevard, Suite 100
Newport News, VA 23606
Telephone: (757) 930-3660
Facsimile: (757) 930-3662
Email: lenbennett@clalegal.com

Matthew J. Erausquin
Consumer Litigation Associates, P.C.
1800 Diagonal Road, Suite 600
Alexandria, VA 22314
Telephone: (703) 273-7700
Facsimile: (888) 892-3512
Email: matt@clalegal.com

COUNSEL FOR DEFENDANT:

Daniel J. McLoon (pro hac pending)
JONES DAY
555 South Flower Street, Fiftieth Floor
Los Angeles, CA 90071.
Telephone: (213) 243-2580
Facsimile: (213) 243-2539
Email: djmcloon@jonesday.com

Joseph W. Clark
Virginia State Bar No. 42664
JONES DAY
51 Louisiana Avenue, N.W.
Washington, DC 20001-2113
Telephone: (202) 879-3697
Facsimile: (202) 626-1700
Email: jwclark@jonesday.com